

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

GREAT AMERICAN	:	CASE NO. 1:16-CV-00699-MRB
LIFE INSURANCE COMPANY,	:	
Plaintiff,	:	JUDGE MICHAEL R. BARRETT
v.	:	
UNITED STATES	:	PLAINTIFF'S MOTION
DEPARTMENT OF THE INTERIOR,	:	FOR CASE STATUS CONFERENCE
<i>et al.</i> ,	:	ON PENDING MOTION
	:	FOR SUMMARY JUDGMENT
Defendants.	:	

Plaintiff, MassMutual Ascend Life Insurance Company, formerly known as Great American Life Insurance Company, hereby respectfully moves the Court to set a case status conference, in person or by telephone, to discuss the status of the Court's ruling on the pending Motion for Summary Judgment ("Motion") filed by Plaintiff in this matter. The Motion has been fully briefed since April 22, 2020 (CM/ECF Doc. Nos. 28, 37–39). On July 21, 2020, the parties agreed that the record is closed, the Court heard oral argument on the Motion, and the Court took the Motion under advisement (CM/ECF Doc. Nos. 40-41). The fully briefed and argued Motion for Summary Judgment has been pending for more than three years.¹

WHEREFORE, Plaintiff respectfully requests the Court set a status conference, in person or by telephone, as soon as practicable to discuss the status of the Court's ruling on the pending Motion for Summary Judgment.

¹ On August 16, 2023, Plaintiff submitted a Notice of Supplemental Authority in Support of its Motion for Summary Judgment (CM/ECF Doc. No. 42), which is the only activity in the case in the last three years.

Respectfully submitted,

/s/ Michael L. Cioffi

Michael L. Cioffi (0031098)
Thomas H. Stewart (0059246)
BLANK ROME LLP
201 East Fifth Street, Suite 1700
Cincinnati, Ohio 45202
Phone: (513) 362-8700
Fax: (513) 362-8787
Email: michael.cioffi@blankrome.com
tom.stewart@blankrome.com

David J Hensler (*pro hac vice*)

Douglas S Crosno (*pro hac vice*)

HOGAN LOVELLS US LLP

555 Thirteenth Street, N.W.

Washington, D.C. 20004-1109

Phone: 202-637-5630

Fax: 202-637-5910

Email: david.hensler@hoganlovells.com

douglas.crosno@hoganlovells.com

Attorneys for Plaintiff,

MassMutual Ascend Life Insurance Company,

formerly known as

Great American Life Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed this document with the Clerk of the Court using CM/ECF on October 16, 2023, which will automatically generate and serve Notices of Electronic Filing on all counsel of record.

/s/ Michael L. Cioffi

*Counsel for Plaintiff MassMutual Ascend
Life Insurance Company, formerly known as
Great American Life Insurance Company*